



MIKE DRISCOLL  
county attorney

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Hon. Dan Morales  
Attorney General of Texas  
Supreme Court Building  
P. O. Box 12548  
Austin, Texas 78711-2548

Attention: Madeleine B. Johnson  
Opinion Committee

Ladies and Gentlemen:

Harris County Judge Jon Lindsay has requested advice regarding the following questions:

1. Whether "costs" required for security in a contest of an application for a liquor license under TEX. ALCO. BEV. CODE ANN. §61.39 (Vernon 1978) includes attorney's fees?
2. Whether "costs" required for security in a contest of an application for a liquor license under TEX. ALCO. BEV. CODE ANN. §61.39 (Vernon 1978) includes damages suffered by applicant which may accrue as a result of delay due to such contest?
3. When Harris County (rather than a county officer) contests an application for a liquor license under TEX. ALCO. BEV. CODE ANN. §61.39 (Vernon 1978), is the County required to give security for costs?

April 16, 1992

RQ-381

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IO # 15748  
MBJ

1001 Preston, Suite 634  
Houston, Texas 77002-1891  
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Please supply us with your opinion on the questions presented.  
A memorandum brief is enclosed.

Sincerely,

MIKE DRISCOLL  
County Attorney

A handwritten signature in cursive script, reading "Marilyn Barnes".

By MARILYN BARNES  
Assistant County Attorney

Enclosure